

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF NEW YORK

JANE DOE, et al.

Plaintiffs,

vs.

HOWARD ZUCKER, et al.

Defendants.

Civil Action No.: 1:20 – CV – 0840 (BKS/CFH)

DECLARATION OF M.N. IN SUPPORT OF
PLAINTIFFS' MOTION FOR A PRELIMINARY
INJUNCTION

M.N. pursuant to 28 U.S.C. § 1746 declares under penalty of perjury as follows:

1. I am the mother of a vaccine injured child with special needs residing in the Elwood District in New York.
2. I write this declaration in support of the Plaintiffs' motion for a preliminary injunction and as a potential class member in this suit.
3. Our son was vaccinated for the first two years of his life.
4. He is too sick to be vaccinated now. Among other issues, he has been diagnosed with a progressive/unstable neurological condition with seizure activity. This is one of the precautions that even ACIP recognizes.
5. My son's treating doctor, a respected physician licensed to practice in New York, wrote a medical exemption without hesitation.

DECLARATION OF M.N. IN SUPPORT OF PLAINTIFFS' MOTION FOR A PRELIMINARY
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- 3 6. Nonetheless, the School District denied the medical exemption and my son was
- 4 removed from school.
- 5 7. This has had a profound impact on my son and on our family.
- 6 8. My son was not able to experience the high degree of in-person special education
- 7 services that were on his IEP.
- 8 9. We ended up enrolling him in a homeschool co-op so that he would benefit from
- 9 socialization with other children as he became depressed. He missed out on
- 10 participating in cross country sports as well as shop class, school plays and orchestra
- 11 which he really looked forward to.
- 12
- 13 10. It ended up costing us close to \$8,000 in addition to the \$11,000+ property tax burden
- 14 we already have, which part of it goes toward the Elwood school district and he is now
- 15 not allowed to benefit from that.
- 16
- 17 11. My husband and I both experienced great mental anguish in trying to figure out how
- 18 we were going to homeschool him ourselves when he has special needs as well as
- 19 trying to figure out how to afford the co-op. We ended up having to borrow money
- 20 from family and friends.
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- 22 12. Wherefore, I respectfully ask this Court to grant the relief and let our children remain
- 23 in school pending the outcome of this case and to stay the regulations that allow school
- 24 districts to overrule treating physicians.
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26 DECLARATION OF M.N. IN SUPPORT OF PLAINTIFFS' MOTION FOR A PRELIMINARY
27 INJUNCTION - 2
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2 RESPECTFULLY SUBMITTED this 30th day of August 2020
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5 M.N.
6 M.N.
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26 DECLARATION OF M.N. IN SUPPORT OF PLAINTIFFS' MOTION FOR A PRELIMINARY
27 INJUNCTION - 3
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